

CHRISTOPHER CHIOU  
Acting United States Attorney  
Nevada Bar No. 14853  
District of Nevada  
CHRISTOPHER LIN  
Assistant United States Attorney  
501 Las Vegas Blvd. South, Suite 1100  
Las Vegas, Nevada 89101  
Tel: (702) 388-6336  
Fax: (702) 388-6418  
christopher.lin@usdoj.gov

*Attorneys for the United States of America*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ETORI HUGHES,

Defendant.

Case No. 2:21-mj-00120-DJA

**ORDER to Continue the Preliminary  
Examination Date and Exclude Time Under  
the Speedy Trial Act  
(Second Request)**

IT IS HEREBY STIPULATED AND AGREED by and between, Christopher Chiou, Acting United States Attorney, District of Nevada, Christopher Lin, Assistant United States Attorney, representing the United States of America, and Kathryn Newman, of the Federal Public Defender's Office, representing the defendant, that the Preliminary Examination date in the above captioned case, which is currently scheduled for April 19, 2021 at 4:00 P.M., be continued to a date and time convenient for the Court but not later than 30 days.

1. Defense counsel requests additional time to review discovery, meet and confer with her client, and discuss possible dispositions and strategies in this case prior to possible indictment by a grand jury.

1           2.     The defendant is detained and does not object to the continuance.

2           3.     The parties agree to the continuance.

3           4.     Federal Rule of Criminal Procedure 5.1(d) provides that a magistrate judge may  
4     extend the time limits in Rule 5.1(c) with the defendant's consent and upon a showing of  
5     good cause taking into account the public interest in the prompt disposition of criminal  
6     cases. Because the defendant wishes to review discovery with their client prior to the  
7     preliminary hearing or indictment, good cause exists to extend the time limits in Rule  
8     5.1(c).

9           5.     Denial of this request could result in a miscarriage of justice, and the ends of  
10    justice served by granting this request outweigh the best interests of the public and the  
11    defendant in a speedy trial.

12          6.     The additional time requested by this Stipulation is excludable in computing the time  
13    from the filing of the criminal complaint through which the government must assert an  
14    criminal Information or seek an Indictment by the Grand Jury pursuant to the Speedy  
15    Trial Act, Title 18, United States Code Section 3161(h)(7)(A), when considering the  
16    factors under Title 18, United States Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

17    ///

7. This is the parties' third request to continue the date of Preliminary Examination.

DATED this 2nd day of April, 2021.

CHRISTOPHER CHIOU  
Acting United States Attorney

/s/ Susan Cushman for  
CHRISTOPHER LIN  
Assistant United States Attorney

/s/ Kathryn Newman  
Kathryn Newman, Esq.  
Counsel for Defendant

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA, ) Case No. 2:21-mj-00120-DJA  
)  
Plaintiff, ) **Findings and Order on Stipulation**  
)  
v. )  
)  
ETORI HUGHES, )  
)  
Defendant. )  
)

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Based on the pending Stipulation between the defense and the government, and good cause appearing therefore, the Court hereby finds that:

1. Defense counsel requests additional time to review discovery, meet and confer with her client, and discuss possible dispositions and strategies in this case prior to possible indictment by a grand jury.
2. The parties agree to this continuance.
3. The defendant is detained and does not object to the continuance.
4. This continuance is not sought for purposes of delay.
5. Denial of this request could result in a miscarriage of justice, and the ends of justice served by granting this request outweigh the best interest of the public and the defendants in a speedy trial.
6. The additional time requested by this stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(7)(A), and considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and (iv).
7. This is the parties third request to continue the Preliminary Examination.

5th

DATED this \_\_\_\_ day of April, 2021.

*[Handwritten signature]*

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